IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6140 OF 2005
IN
CRIMINAL APPEAL NO. OF 2005

Mr.S.G.Jamesh @ John
Francis D'Souza ..Applicant

Vs.

Mr.Atiur Rehman Khan & Anr. ..Respondents

...

Mr.Prasad Pathare for Rajeev Matkar Advocate for Applicant
Mr.N.K.Sharma & R.M.Upadhyay for Respondent no.1
Mr.U.V.Nikam A.P.P. for the State

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CORAM: A.M.KHANWILKAR,J.
DATE : DECEMBER 8, 2005

P.C.

1. Heard counsel for the parties. Indeed there is mistake in the dates mentioned in the Application regarding the death of the close relative. However, the fact that close relative has died on 28.5.2005 is supported by the Death Certificate produced before me. Besides, the explanation offered in the Application in paragraphs 3 to 5, in my opinion, is sufficient cause. Accordingly, delay being 67 days, is condoned. Application allowed in terms of prayer clause (a).

2. Application No. 6139 of 2005 and the Appeal be placed for admission on 13.12.2005.

[A.M.KHANWILKAR, J.]